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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,
Plaintiff,
v.
STEPHEN EDWARD MOORE,
Defendant.

Case No. 2:23-mj-00013-BNW

**STIPULATION TO CONTINUE
BENCH TRIAL
(Second Request)**

IT IS HEREBY STIPULATED AND AGREED, by and between Jason M. Frierson, United States Attorney, and Imani Dixon, Assistant United States Attorney, counsel for the United States of America, and Rene L. Valladares, Federal Public Defender, and Keisha K. Matthews, Assistant Federal Public Defender, counsel for Stephen Edward Moore, that the bench trial currently scheduled on May 24, 2023, at the hour of 9:00 a.m., be vacated and continued to a date and time convenient to the Court, but no sooner than sixty (60) days.

This Stipulation is entered into for the following reasons:

1. Parties have entered negotiations and need the additional time to resolve this matter.
2. The defendant is out of custody and agrees with the need for the continuance.

1 3. Additionally, denial of this request for continuance could result in a miscarriage
2 of justice.

3 This is the second request for a continuance of the bench trial.

4 DATED this 22nd day of May 2023.

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6 RENE L. VALLADARES
Federal Public Defender

7
8 JASON M. FRIERSON
United States Attorney

9 By _____
10 KEISHA K. MATTHEWS
Assistant Federal Public Defender

11 By _____
12 IMANI DIXON
Assistant United States Attorney

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,
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FINDINGS OF FACT, CONCLUSIONS
OF LAW AND ORDER

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. Parties have entered negotiations and need the additional time to resolve this matter.
2. The defendant is out of custody and agrees with the need for the continuance.
3. Additionally, denial of this request for continuance could result in a miscarriage of justice.

CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy trial, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for trial, taking into account the exercise of due diligence.

The continuance sought herein is excludable under the Speedy Trial Act, title 18, United States Code, Section 3161(h)(7)(A), when the considering the facts under Title 18, United States Code, §§ 316(h)(7)(B) and 3161(h)(7)(B)(iv).

ORDER

IT IS THEREFORE ORDERED that the bench trial currently scheduled on Wednesday, May 24, 2023, at 9:00 a.m., be vacated and continued to Wednesday, August 2, 2023 at 9:00 a.m. in Courtroom #3B.

DATED this 23rd day of May 2023

Bernard W. Kalin
UNITED STATES MAGISTRATE JUDGE